

OCT 25 2007

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| <b>TRANSMITTAL FORM</b><br><small>(to be used for all correspondence after initial filing)</small> | Application Number     | 10798,797   |
|  | Filing Date            | 03/10/2004  |
|  | First Named Inventor   | CHAVEZ, Max |
|  | Art Unit               | 3662        |
|  | Examiner Name          | Lobo, Ian   |
|  | Attorney Docket Number | 415.100     |
| Total Number of Pages in This Submission   |                        | 20          |

| ENCLOSURES (Check all that apply)  |  |   |
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| <input type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
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| Firm Name    | Law Offices of Keria Shippey |          |        |
| Signature    | <i>Michael A. Shippey</i>    |          |        |
| Printed name | Michael A. Shippey           |          |        |
| Date         | 10/25/2007                   | Reg. No. | 45,588 |

**CERTIFICATE OF TRANSMISSION/MAILING**

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| Signature   | <i>Michael A. Shippey</i> |      |            |
| Typed or printed name   | Michael A. Shippey        | Date | 10/25/2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 25 2007

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Utility Patent Applications: Mr. Max Chavez, et. al.

Application No: 10/798,797

Art Unit 3662

Filed: March 10, 2004

In Re: Office Action from Examiner Ian Lobo dated July 25, 2007

**REPLY AND AMENDMENT**

Commissioner for Patents

**October 25, 2007**

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In compliance with the above-mentioned office action, please amend the above-identified application as indicated in Sections 1 - 3, and consider the affirmation of election in Section 4, and the reply as given in Section 5. There is also a Remarks section at the end of this response.